

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

PHILLIP SIMPSON,

Petitioner,

CASE NO. 2:06-cv-367

JUDGE FROST

MAGISTRATE JUDGE ABEL

v.

WARDEN, Noble Correctional Institution,

Respondent.

OPINION AND ORDER

On January 23, 2007, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 be **DISMISSED**. Although the parties were specifically advised of their right to object to the *Report and Recommendation*, and of the consequences of failing to do so, there nevertheless has been no objection to the Magistrate Judge's *Report and Recommendation*.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

IT IS SO ORDERED.

/s/ Gregory L. Frost

GREGORY L. FROST
United States District Judge